



Patent
Atty. Dkt. No. 67242/107

Open

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fumihiko WATANABE et al.

Title: SULFONATED AMINO ACID DERIVATIVES AND
METALLOPROTEINASE INHIBITORS CONTAINING THE SAME

Appl. No.: 09/120,383

Filing Date: 07/22/1998

Examiner: Samuel A. Barts

Art Unit: 1621

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a restriction requirement dated August 24, 2004, the Examiner required restriction under 35 U.S.C. § 121 between

- I. Claims 26-32, drawn to compounds, classified in class 562, subclass 405+.
- II. Claim 32, drawn to method of use, classified in class 514, subclass 562.

Applicants provisionally elect to prosecute Group I, claims 26-31, drawn to compounds classified in class 562, subclass 405+, with traverse. It is respectfully submitted that the evidence and explanation fail to establish a serious burden, which is required to maintain a restriction requirement.

The Office action refers to claims 26-32 as the pending claims. However, in Paper No. 46, a motion to admit new claims 34 and 35 was granted. Therefore the pending claims are 26-32 and 34-35.

For this reason, the Examiner was contacted by Sean A. Passino (45,943). The Examiner agreed that claim 34 should belong to Group I and that claim 35 should belong to Group II. The Examiner asked Sean A. Passino (45,943) to provide, with Applicants' next response, a copy of Paper no. 46 and Watanabe Second Amendment and Remarks, each of which is enclosed.

Respectfully submitted,

Date 09-22-2004

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By  (45,943)
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Enclosures:

Paper no. 46 (13 pages) and
Watanabe Second Amendment and Remarks (5 pages).

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.